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 14 JPMorgan Chase Bank, N.A., as successor
 15 by merger to Chase Home Finance LLC, and
 16 Mortgage Electronic Registration Systems, Inc.

11 UNITED STATES DISTRICT COURT
 12 DISTRICT OF NEVADA

14 JOSEPH A. GUERRA,
 15 Plaintiff,

16 v.

17 JUST MORTGAGE INC.; CHASE EHOME
 18 FINANCE; MERS and DOES 1-10,
 19 Defendants.

) CASE NO. 2:10-cv-00029-KJD-RJJ

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) **OPPOSITION OF DEFENDANTS**
) **JPMORGAN CHASE BANK, N.A. AND**
) **MORTGAGE ELECTRONIC**
) **REGISTRATION SYSTEMS, INC. TO**
) **PLAINTIFF'S MOTION FOR**
) **EXTENSION OF DEADLINE**

)

21 Defendants JPMorgan Chase Bank, N.A., as successor by merger to Chase Home Finance
 22 LLC ("Chase"), and Mortgage Electronic Registrations Systems, Inc. ("MERS") (collectively,
 23 "Defendants"), by and through their undersigned counsel, hereby oppose (the "Opposition")
 24 Plaintiff Joseph A. Guerra's ("Plaintiff") Motion for Extension of Deadline (Docket No. 108)
 25 (the "Motion"). This Opposition is supported by the following memorandum of points and
 26 authorities, the record herein, and any argument the Court may hear on this matter.
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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff's Motion should be summarily denied because he has provided no sound basis for the requested extension. First, he argues that he is waiting for the court to rule on his objection to the magistrate's order. However, as set forth in Defendants' response to that objection, Judge Johnston was well within his authority to issue his order for sanctions, and Plaintiff has provided no cognizable basis for overturning that order. Thus, his objection is without merit, and Defendants should not be prejudiced by allowing Plaintiff to extend the deadline to pay the sanctions.

Second, Plaintiff asserts that he does not have the financial means to pay the sanctions until Chase refunds his final escrow balance. It is unclear why Plaintiff believes he is entitled to any refund from Chase. On the contrary, there continues to be a balance owed by Plaintiff to Chase on the subject loan, and he hasn't made a payment for nearly three years. He cannot reasonably claim that he lacks the financial means to pay the sanctions when he has been living rent-free for the entire pendency of this litigation. At the very least, if it is Plaintiff's position that he is financially unable to pay the sanctions, he should be compelled to provide financial statements to the Court and the parties herein demonstrating his alleged inability to pay.

Finally, the two-month extension requested should not be allowed because it will prejudice Defendants by allowing Plaintiff to potentially dispose of assets capable of being executed upon, should Defendants be forced to resort to collection efforts in connection with the unpaid sanctions.

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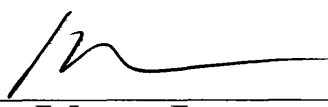
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1 In short, for all of the forgoing reasons, Defendants respectfully request that Plaintiff's
2 Motion be summarily denied, and that he be ordered to pay the now-late sanctions imposed by
3 Judge Johnston immediately.
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5 DATED this 17 day of September, 2012.

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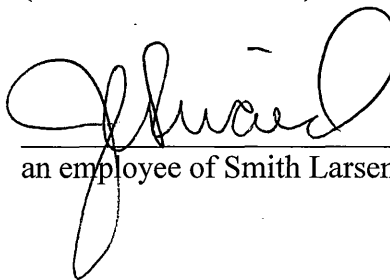
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17 day of September, 2012, a true copy of the foregoing **Opposition of Defendants JPMorgan Chase Bank, N.A. and Mortgage Electronic Registration Systems, Inc. to Plaintiff's Motion for Extension of Deadline** was filed electronically via the court's CM/ECF system and served either electronically or by mail, postage prepaid, to the following as noted:

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